

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DESHUN TERRELL BANKS,)
)
)
Plaintiff,)
)
)
v.) CASE NO. 2:25-CV-86-WKW
) [WO]
J. CLARK STANOSKI, BALDWIN)
COUNTY DISTRICT ATTORNEY,)
BALDWIN COUNTY ATTORNEY)
GENERAL,)
)
Defendants.)

ORDER

Plaintiff Deshun Terrell Banks, who is proceeding *pro se*, brought this 42 U.S.C. § 1983 action, complaining about his treatment while incarcerated at the Baldwin County Corrections Center, formerly known as the Baldwin County Jail, in Bay Minette, Alabama, and in the Southern District of Alabama more generally. Based upon the court's review of the Complaint, this action will be transferred to the United States District Court for the Southern District of Alabama.

Venue for actions arising under 42 U.S.C. § 1983 is governed by 28 U.S.C. § 1331(b). Section 1331(b) provides:

A civil action may be brought in . . . (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred . . . ; or (3) if there is no district in which an action may otherwise be brought as

provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

When an action is filed in the wrong division or district, the district court either may dismiss the action or, in the interest of justice, transfer it to a district or division where it could have been brought. *See* 28 U.S.C. § 1406(a).

In his Complaint, Plaintiff does not allege any conduct that occurred in the Middle District of Alabama or provide any reason why venue is proper in the Middle District. Instead, his allegations involve incidents that occurred at the Baldwin County Corrections Center in Bay Minette, Alabama, and in the Southern District more broadly. (*See generally* Doc. # 1.) Bay Minette, Alabama is located in the Southern District of Alabama. Additionally, Plaintiff names as Defendants state judicial and prosecutorial officials who reside in the Southern District of Alabama. Therefore, under § 1391(b), the proper venue for this action is the Southern District of Alabama.

Accordingly, it is ORDERED that this action is TRANSFERRED to the United States District Court for the Southern District of Alabama under §§ 1391(b) and 1406(a).

The Clerk of Court is DIRECTED to take the necessary steps to effectuate the transfer of this action.

DONE this 3rd day of February, 2025.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE